

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

TIMOTHY TURNER

PLAINTIFF

vs.

No. 4:05CV97-D-A

SUPERINTENDENT DONALD CABANA; et al.

DEFENDANTS

FINAL JUDGMENT

On consideration of the file and records in this action, the court finds that the report and recommendation of the United States Magistrate Judge dated August 25, 2005, was on that date duly served by first class mail upon the Plaintiff and by first class mail upon the attorney of record for the Defendants; that more than ten days have elapsed since service of said report and recommendation; and that no objection thereto has been filed or served by said parties. The court is of the opinion that the report and recommendation should be approved and adopted as the opinion of the court.

It is, therefore, **ORDERED** that:

1. The report and recommendation of the Magistrate Judge dated August 25, 2005, is hereby APPROVED AND ADOPTED as the opinion of the court; and
2. the Plaintiff's complaint is DISMISSED WITH PREJUDICE, and this case is CLOSED.

THIS, the 12th day of September 2005.

/s/ Glen H. Davidson
Chief Judge